

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

THE UNITED STATES OF AMERICA

PLAINTIFF

VS.

CASE NO. 4:17-cr-00293-BSM

MARCUS O. MILLSAP

DEFENDANT

DEFENDANT MARCUS O. MILLSAP'S SENTENCING MEMORANDUM

Comes now the Defendant, Marcus O. Millsap, by and through his undersigned attorneys, and for his Sentencing Memorandum states as follows:

1. The following exhibits are attached hereto and incorporated herein:
 - a. Exhibit 1 – Letter from Sharon Carr to Judge Miller with attached letter from Marcus Millsap to Sharon Carr;
 - b. Exhibit 2 – Letter from Adriana Millsap to Judge Miller; and
 - c. Exhibit 3 – Letter from Asa Millsap to Judge Miller.
2. Defendant respectfully requests a downward departure from the sentencing guidelines recommendation to the extent that such departure would be just and reasonable in light of the surrounding circumstances.

RESPECTFULLY SUBMITTED,

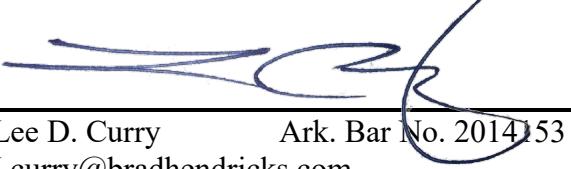
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Sharon Carr
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May 12, 2023

U. S. District Judge Brian Miller
500 West Capitol
Room D 258
Little Rock, AR 72201

Re: Marcus Millsap

Dear Judge Miller:

My name is Sharon Carr. I am retired from Petit Jean Poultry, Inc., after working there for 32 years as Accounting Supervisor/Office Manager, for Marcus' father, Leon Millsap. I have managed Marcus' affairs since he has been incarcerated and have spoken with him on a weekly basis for the past seven years.

I have had the opportunity to watch his life unfold from a young boy at age 13 until the present time. Marcus' parents were divorced and he faced many challenges due to that situation but he persevered and graduated from high school and then from college. It was while attending college that he was introduced to drugs and thus a downward spiral. Throughout his lifetime, I was tasked with trying to give him guidance.

While sitting in your courtroom during his trial, I was saddened by the fact that all of the good things I knew about Marcus would never be brought to light. There has been many times that he has given privately and freely to people in need. I once told him that I had been made aware of a woman that had some severe health issues and couldn't work. Without hesitation, he said he wanted to help her financially. This was someone he had never met and still hasn't. There was another time when he allowed me to help an elderly man to catch his house payments up just prior to foreclosure. He has given money in the past to his daughter's Youth Minister, as well as her church. He truly cares for people. He is respectful and quick to show compassion. He is currently financially supportive of the Rock Springs Community Church in Hector, Arkansas, as well as the Bloom House near Russellville Arkansas. The Bloom House is a home for young girls that are just coming out of rehab and is operated by a local church.

DEFENDANT'S
EXHIBIT

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I realized during the trial that no one would ever know what a good daddy he has been to his children, nor would they ever see the note his daughter wrote and handed to his attorney just before the verdict was read. She wrote, "Daddy I want you to know that no matter what the verdict is, I will always love you and I am glad that you were chosen to be my dad." No one would know that his daughter cared enough to ask a courtroom official if she could hug her dad before they took him away on the last day of trial. She exhibited the characteristics of a child that has been shown love from her father.

Marcus has spoken to me at length about his life and his addiction. Although he has been incarcerated at other times in the past, he has never told me that he was rehabilitated until this time. He feels that the seven years he has been locked up, has helped him and given him a perspective about life that he has never had before. He believes the penalty would be more effective if an offender were given five years on the first offense because it would keep many from re-offending and enable them to lead a normal, addiction-free life.

Lastly, I want to thank you for taking the time to read my letter and I hope you will also read the copy of a letter I have enclosed that Marcus wrote to me in August of 2019. I do realize the seriousness of this case, but I am in hopes that the court can show leniency in sentencing after considering some of my insight.

Respectfully,



Sharon Carr

8/4/19

I would like to share with you some of the things I think about when I slow down to think.

Knowing I am flawed, I do realize that love is where all goodness, compassion and caring comes from. I believe that love is how I should measure my existence. Some may measure themselves by how much they have, money, friends, votes or even hits on social media like our commander in chief. But that isn't how a man should be measured. I wonder how I will evaluate my stay here before I leave this world. Sure seems like I have made nothing but mistakes. But still God has blessed me with two wonderful kids. I feel blessed. Even with all the advantages that I was just given by my life I seemed set on messing it up.

Over this lifetime I have naturally come to love my family, children, wife + have faith in God. Along with sights + sounds and yes sinful desires which included an addiction. In Romans 7:15 Paul says "I do not understand what I do. For what I want to do, I do not do, but what I hate to do." 7:18 - "For I have the desire to do what is good, but I cannot carry it out." This is exactly what addiction feels like. I desired to quit but I never could. After being locked up 3 years

I can clearly see how sinful it was and how it was taking all the joy from my life. I simply could not stop. How evil is that? Very!

I want to show my children who and what I really am. I want them to know that love is what it's all about. Sharing love with family friends and even total strangers. I want them to have a relationship with God. I want to give thanks to God for everything in this world. I want them to understand that God is the reason we have such a world + possess the higher understanding that a divine power has given us the capacity to love.

Paul noted that of all the gifts that we are given, the ability to give and receive love was the best of all I agree. Everyone who knows me knows that I am far from a saint. But with a clear head I have a better understanding of my existence. That is also understanding that I have fallen short often. But I do know that through love + faith - the in forgiveness for all through our Lord Jesus Christ. I love you + just wanted to share some of myself with you.

Love, Mark

Dear Judge Miller,

Your Honor, I am Adriana Millsap; the daughter of Marcus O. Millsap. I'm 16 years old and when my father got imprisoned I was only 10 years old (the same age as my little brother Asa right now) and I am writting this letter to inform you that my father Mark is not the man everyone is making him out to be, he is thoughtful, Kind, Smart, funny man and he does not deserve to be locked up like all the other men + woman that everyone is claiming him to be apart of. He was/still is my bestfriend ~~as~~ in the whole world, I'm lucky compared to my little brother who was only 4 years old when ~~he~~ became incarcerated, I had the opportunity to decide who my bestfriend was at a young age, unlike my brother who wasn't even old enough to understand everything he did for us. So giving him that opportunity to be with us again would mean a great deal to me, my brother, my mom, and the rest of our family and will most likely make a big impact on all of our lives. So in conclusion I'm basically asking you, your Honor to take mercy on him + my family, and let us be a whole family again.

Sincerely,
Adriana Millsap 

DEFENDANT'S
EXHIBIT

dear Judge Miller

I am Asa Millsap the son of Mark Millsap. I AM ten years old. I was four years old when my dad went to prison. I have already waited six years for him to be sentenced so I would very much appreciate if he doesn't go to prison for very long. Because we would all like to be a family together. So I really think that he should be able to come home to us, because he has been in there long enough. Also everybody deserves a second chance.

Thank you
-Asa